

TWENTY-FOURTH DAY

(Thursday, February 25, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Message from the House

Hall of the House of Representatives
Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 12, A bill to be entitled "An Act appropriating money for the support of the Judicial, Executive, and Legislative branches of the State Government; for the construction of State buildings, the payment of claims against the State, and for State aid to public junior colleges, for the two-year period beginning September 1, 1965, and ending August 31, 1967; authorizing and prescribing conditions, limitations, rules and procedures for allocating and expanding the appropriated funds; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. B. No. 135, A bill to be entitled "An Act amending Chapter 43, Acts of the 57th Legislature, First Called Session, 1961, by correcting a constitutional reference therein, by increasing the maximum tax which may be voted in Hopkins County Hospital District from 25c on the \$100 valuation of taxable property to 75c on the \$100 valuation of taxable property, and validating Hopkins County Hospital District and all acts and proceedings performed, had, or attempted pursuant to said Act, and declaring an emergency."

H. B. No. 113, A bill to be entitled "An Act relating to the creation, administration, powers, and duties, and financing of the Swisher Memorial Hospital District in Swisher County; and declaring an emergency."

H. B. No. 202, A bill to be entitled "An Act to authorize the Board of Regents of the Sul Ross State College to exchange certain state-owned land for other publicly-owned land of other valuable consideration; and declaring an emergency."

S. C. R. No. 40, In memory of Bishop Mariano S. Garriga.

S. B. No. 2, A bill to be entitled "An Act conferring on the Railroad Commission of Texas authority to provide for the pooling of mineral interests in proration units for an oil or gas well under certain conditions; providing for the allocation of production therefrom and for appeals from such pooling orders."

S. B. No. 54, A bill to be entitled "An Act providing for changes in the Firemen's Relief and Retirement Funds in certain cities in the state; amending Section 10D and adding Sections 6C, 7D, and 12B to Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended; providing for severability; providing for pending litigation; repealing all laws in conflict; and declaring an emergency."

Reports of Standing Committees

Senator Parkhouse submitted the following reports:

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 194, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

PARKHOUSE, Chairman.

C. S. S. B. No. 194 was read the first time.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 145, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

PARKHOUSE, Chairman.

C. S. S. B. No. 145 was read the first time.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 146, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

PARKHOUSE, Chairman.

C. S. S. B. No. 146 was read the first time.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 232, have had the same under consideration, and I am instructed to report it back to the

Senate with the recommendation that it do pass with amendments and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 259, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Herring submitted the following reports:

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence to which was referred S. B. No. 18, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence to which was referred S. B. No. 27, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HERRING, Chairman.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence to which was referred S. B. No. 28, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HERRING, Chairman.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence to which was referred S. B. No. 147, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence to which was referred S. B. No. 63, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence to which was referred S. B. No. 221, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

HERRING, Chairman.

C. S. S. B. No. 221 was read the first time.

Senator Hazlewood submitted the following reports:

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 213, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 212, have had the

same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 174, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 160, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 250, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 292, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on

State Affairs, to which was referred S. B. No. 256, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Senator Ratliff submitted the following report:

Austin, Texas,
February 24, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 142, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senate Bill 232 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent S. B. No. 232 was ordered not printed.

Senate Bills and Resolution on on First Reading

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

By Senator Hall:

S. B. No. 321, A bill to be entitled "An Act amending Chapter 88, Acts 41st Legislature, Second Called Session, 1929, as amended to provide for establishment and issuance of special personalized prestige license plates; providing for an annual fee of Ten (\$10.00) Dollars; authorizing the Highway Department to establish and promulgate procedures for application for and issuance of such plates; preventing duplication and setting priorities; providing for disposition of funds; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hall:

S. B. No. 322, A bill to be entitled "An Act to amend Section 1a of House Bill 84, Acts of the 49th Legislature, Regular Session, 1945, codified as Section 1a of Article 2350 of Vernon's Civil Statutes, so as to authorize the Commissioners Court in each county in the State of Texas to pay all reasonable and necessary

expenses of each county commissioner while he is traveling outside his home county on official county business; providing that this Act shall be construed as authorizing the Commissioners Court in each county to pay these expenses regardless of whether the County Commissioner uses his personal vehicle or travels by bus, railroad, airline or other commercial conveyance; providing further that in addition to the reasonable expense of operating his personal vehicle or traveling by public conveyance that each Commissioner shall be entitled to the actual costs of meals, lodging, and other reasonable and necessary expenses while traveling on official business outside his home county; providing that the Commissioner shall itemize and swear to these expenses; providing that all laws in conflict herewith are hereby expressly repealed; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Blanchard:

S. B. No. 323, A bill to be entitled "An Act amending Subdivision (3), (4), and (6), all of Subsection (B), Section 3 of Chapter 397, Acts of the 54th Legislature, 1955, relating to overinsurance provisions in health insurance policies; repealing Subdivision (5), Subsection (B), Section 3 of Chapter 397, Acts of the 54th Legislature, 1955; and declaring an emergency."

To the Committee on Insurance.

By Senator Herring:

S. J. R. No. 35, Proposing an amendment to Section 21 of Article 16 of the Constitution of the State of Texas so as to not require approval by the Governor, Secretary of State and the Comptroller of certain materials and services purchase contracts.

To the Committee on Constitutional Amendments.

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House, were read the first time and referred to the Committee indicated:

H. B. No. 12, to Committee on Finance.

H. B. No. 301, to Committee on Game and Fish.

H. B. No. 296, to Committee on State Affairs.

H. B. No. 206, to Committee on Education.

H. B. No. 292, to Committee on Counties, Cities and Towns.

H. J. R. No. 1, to Committee on Constitutional Amendments.

H. J. R. No. 5, to Committee on Constitutional Amendments.

H. J. R. No. 11, to Committee on Constitutional Amendments.

Senate Resolution 186

Senator Herring offered the following resolution:

Whereas, On March 1, 1965, the State of Texas will be honored by the return of one of its genuinely distinguished native sons, the Honorable Clifton Crawford Carter; and

Whereas, Mr. Carter is returning to receive, from his life-long friends and neighbors in his home town, Smithville, Bastrop County, Texas, acknowledgment of the affection and esteem in which they hold this their favorite son, and, upon this occasion, it is the desire of the Senate of Texas to express to this remarkable man, upon behalf of a grateful people, the deep debt which is owed to him for his long and dedicated service to his country in both war and peace; and

Whereas, In World War II, as a member of Texas' own 36th Division, Cliff Carter served on active duty for more than five years, two and one half years being overseas, with five hundred thirty days in armed combat, during which time he arose to the rank of Lieutenant Colonel, winning the Legion of Merit, the Bronze Star and six other decorations from his own country and the Croix de Guerre from the French government for gallantry in action; and

Whereas, In times of peace, from a Commissioner of Little Baseball to the strong right arm of the President of the United States, this man has devoted his life to the service of his people, and he has recognized, as have few men in the history of our republic, that "those who expect to reap the blessings of freedom must, like men, undergo the fatigue of sup-

porting it," and support he has with gallantry, sacrifice, wisdom, and devotion which reflect honor upon him and his native state; and

Whereas, For more than a quarter of a century, with unsurpassed loyalty, Cliff Carter has given himself to the support, strengthening and sustenance of the present President of the United States, and, because of such loyalty and devotion, no man is held in deeper affection and higher esteem or trusted more implicitly by the President than is Cliff Carter; now, therefore, be it

Resolved, By the Senate of Texas that we here record for all the people of our state the great pride we have in the life of this exceptional citizen, and we express to him and his family the eternal gratitude of his fellow citizens for the selfless service which he has rendered, and we extend our sincere wish for his continued success and happiness and for a long life further to bless our people; and be it further

Resolved, That we commend and congratulate the citizens of Smithville, Texas, for nuturing this noble man and for honoring themselves as they honor him on Cliff Carter Day, March 1, 1965; and be it further

Resolved, That this resolution be spread upon the Senate Journal and that a copy be furnished to Mr. Carter and to Mayor George S. Woodress of Smithville, Texas.

HERRING

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Hightower, Kazen, Kennard, Krueger, Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Moore and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted.

Message From the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,
February 25, 1965.

To the Senate of the Fifty-Ninth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Branch Pilots for the Galveston Bar and the Houston Ship Channel, for a two-year term to expire January 18, 1967: J. Everett McNary of Houston, Harris County. For a two-year term to expire January 1, 1967: Charles W. Barfield of Houston, Harris County.

Respectfully submitted,
JOHN CONNALLY,
Governor of Texas.

House Bill 142 Ordered Not Printed

On motion of Senator Patman and by unanimous consent H. B. No. 142 was ordered not printed.

Senate Bill 267 Re-referred

On motion of Senator Hazlewood and by unanimous consent S. B. No. 267 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Game and Fish.

Presentation of Guest

Senator Dies by unanimous consent presented as a guest of the Senate today former Representative Sam Collins of Newton.

House Concurrent Resolution 37 on Second Reading

The President laid before the Senate as pending business H. C. R. No. 37, with an amendment by Senator Schwartz pending (the resolution having been read on yesterday).

Question—Shall the amendment by Senator Schwartz to H. C. R. No. 37 be adopted?

Senator Calhoun raised the Point of Order that the amendment was not germane to the resolution.

The President sustained the Point of Order.

H. C. R. No. 37 was then adopted by the following vote:

Yeas—22

Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Creighton	Ratliff
Dies	Reagan
Hall	Richter
Hazlewood	Snelson
Herring	Spears
Hightower	Strong
Kennard	Watson
Krueger	Word

Nays—9

Aikin	Harrington
Bates	Kazen
Colson	Rogers
Crump	Schwartz
Hardeman	

Reason for Vote

I voted for H. C. R. No. 37 in its amended form on final passage only because I believe it necessary to adopt some type of Joint Rules for orderly legislative procedure. I am still opposed to the 120 day provision in H. C. R. No. 37 and so voted at every opportunity. I believe that this should have remained at 75 days, which has been in the Joint Rules for a number of years.

SNELSON

Reports of Standing Committees

Senator Moore by unanimous consent submitted the following report:

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 206, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Watson by unanimous consent submitted the following report:

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions to which was referred H. B. No. 97, have had the

same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WATSON, Chairman.

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,

February 23, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Transportation to which was referred S. B. No. 3, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

House Bill 1 on Second Reading

Senator Moore moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 1 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Nays—2

Aikin	Hardeman
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Absent

Schwartz

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1, A bill to be entitled "An Act amending Chapter 487, Acts of the 54th Legislature, Regular Ses-

sion 1955; (codified as Article 2919e, Vernon's R. C. S.) reconstituting the Texas Commission on Higher Education as the Coordinating Board, Texas College and University System, providing for appointment of its members and their terms of office; providing for filling vacancies in its membership; etc., and declaring an emergency."

The bill was read second time.

Question—Shall H. B. No. 1 be passed to third reading?

Senate Bill 289 on Second Reading

Senator Rogers moved that Senate Rules 116, 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 289 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 289, A bill to be entitled "An Act relating to compensation and reimbursement of expenses of members of the Texas Animal Health Commission; amending Article 7009, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 289 on Third Reading

Senator Rogers moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three sev-

eral days be suspended and that S. B. No. 289 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

(Senator Hardeman in the Chair.)

House Bill 1 on Second Reading

The Senate resumed the pending business, same being H. B. No. 1 on its second reading (the bill having been read the second time this morning).

Question—Shall H. B. No. 1 be passed to third reading?

Senator Kennard offered the following amendment to the bill:

Amend H. B. 1, page 3, by striking the words and figures "eighteen (18)" appearing on line 31 and substituting in lieu thereof, "nine (9)"; and by striking the words and figures "six (6)" as they appear on lines 37, 38, and 39, and substituting in lieu thereof "three (3)."

The amendment was read and failed of adoption by the following vote:

Yeas—5

Hardeman	Richter
Hightower	Spears
Kennard	

Nays—26

Aikin	Kazen
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Rogers
Dies	Schwartz
Hall	Snelson
Harrington	Strong
Hazlewood	Watson
Herring	Word

Senator Spears offered the following amendment to the bill:

Amend H. B. 1, page 3, by striking the following words from lines 34 and 35:

"The Governor shall designate a chairman and vice-chairman."

and substitute in lieu thereof the following:

"The Board shall elect from its membership a chairman and vice-chairman who shall serve in such positions for two-year terms."

The amendment was read and failed of adoption by the following vote:

Yeas—3

Richter	Spears
Schwartz	

Nays—27

Aikin	Dies
Bates	Hall
Calhoun	Hardeman
Cole	Harrington
Colson	Hazlewood
Creighton	Herring
Crump	Hightower

Kazen	Reagan
Kennard	Rogers
Krueger	Snelson
Moore	Strong
Parkhouse	Watson
Patman	Word
Ratliff	

Absent

Blanchard

Senator Spears offered the following amendment to the bill:

Amend H. B. 1, page 3, by changing the period at the end of line 45 to a semicolon, and by adding the following:

"provided further, that no more than six (6) members of the Board shall be employed by corporations which have their home office outside of the State of Texas and no more than nine (9) members shall be full-time employees of corporations wherever its home office is located."

The amendment was read and failed of adoption by the following vote:

Yeas—1

Spears

Nays—29

Aikin	Kennard
Bates	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Absent

Blanchard

Senator Richter offered the following amendment to the bill:

Amend subsection 11, Section 1, House Bill 1, 59th Legislature, 1965, by striking the last sentence and substituting the following therefor:

"If the Board determines that any course so submitted initiates a new degree or certificate program not yet authorized or is outside the role and

scope of the institution, the Board may order the deletion or consolidation of such course after giving due notice with reasons therefor and after providing a hearing if one is requested by the governing board involved."

The amendment was read.

(President in the Chair.)

On motion of Senator Moore the amendment was tabled.

Record of Votes

Senators Hall and Hardeman asked to be recorded as voting "Nay" on the Motion to Table the above amendment.

Senator Spears offered the following amendment to the bill:

Amend H. B. 1, p. 5, by adding a paragraph between lines 13 and 14 to read as follows:

"Provided however, that nothing in this Act shall be construed to authorize or permit the Board to approve, disapprove or regulate the content of any course authorized to be offered by any institution hereunder, or to have any power or authority to hire and/or fire or dismiss faculty or staff members."

The amendment was read.

Question on adoption of the amendment, Yeas and Nays were demanded.

The amendment failed of adoption by the following vote:

Yeas—11

Aikin	Richter
Cole	Schwartz
Hall	Snelson
Hardeman	Spears
Harrington	Watson
Kennard	

Nays—20

Bates	Kazen
Blanchard	Krueger
Calhoun	Moore
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hazlewood	Rogers
Herring	Strong
Hightower	Word

The bill was then passed to third reading.

Leave of Absence

Senator Ratliff was granted leave-of-absence for the remainder of the day on account of important business on motion of Senator Aikin.

House Bill 1 on Third Reading

Senator Moore moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Reagan
Crump	Richter
Dies	Schwartz
Hall	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Nays—3

Aikin	Rogers
Hardeman	

Absent—Excused

Ratliff

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Reagan
Crump	Richter
Dies	Schwartz
Hall	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Nays—3

Aikin	Rogers
Hardeman	

Absent—Excused

Ratliff

Memorial Resolutions

S. R. No. 185—By Senator Colson: Memorial resolution for James Gordon Grogan.

S. R. No. 188—By Senator Watson: Memorial resolution for Fred Carl Schaffer.

S. R. No. 189—By Senator Watson: Memorial resolution for R. E. (Bob) Mickle.

S. R. No. 190—By Senator Watson: Memorial resolution for Mrs. Luther Burton.

Welcome Resolution

S. R. No. 187—By Senator Herring: Extending welcome to students and teacher of the Seventh Grade Class of Allan Junior High School.

Adjournment

On motion of Senator Krueger the Senate at 12:20 o'clock p.m. adjourned until 10:30 o'clock a.m. on Monday, March 1, 1965.

Record of Vote

Senator Patman asked to be recorded as voting "Nay" on the motion to adjourn.

APPENDIX**Reports of Standing Committee**

Senator Hardeman submitted the following reports:

Austin, Texas,
February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 2, "An Act conferring on the Railroad Commission of Texas authority to provide for the pooling of mineral interests into pro-

ration units for an oil or gas well under certain conditions; providing for the allocation of production therefrom and for appeals from such pooling orders."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,

February 25, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 54, "An Act providing

for changes in the Firemen's Relief and Retirement Funds in certain cities in the state; amending Section 10D and adding Sections 6C, 7D, and 12B to Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended; providing for severability; providing for pending litigation; repealing all laws in conflict; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

February 25, 1965

S. C. R. No. 40

S. B. No. 2

S. B. No. 54

In Memory of George W. Pfeiffenberger

Senator Blanchard offered the following resolution:
(Senate Resolution 184)

Whereas, The untimely death on December 15, 1964, of George W. Pfeiffenberger, widely-known technologist and executive vice-president of Plains Cotton Growers, Inc., at the age of 56, was the source of great sorrow to his many friends and business associates in Lubbock and the Plains area; and

Whereas, This outstanding Texas citizen had received national and international recognition for his leadership in advancing the interests of cotton, and was chosen "Man of the Year" in 1961 by Cotton Digest magazine; and

Whereas, In 1963, he was named cotton producer representative of the American delegation to the International Cotton Advisory Committee in Bangalore, India, a conclave of cotton experts representing 47 different countries; and

Whereas, He came to Lubbock in 1956 from Memphis, Tennessee, where he was associated with the National Cotton Council, to become administrative head of the newly-organized Plains Cotton Growers, representing approximately 25,000 cotton growers in a 23-county area; and

Whereas, His acceptance of the Lubbock position was a kind of homecoming, which demonstrated his affection for Texas and the people of the Plains area, for he had lived there from 1945 to 1953, while working with the Chicopee Manufacturing Company, which he had once served as cotton research director in the home office at Chicopee Falls, Massachusetts; and

Whereas, He had a phenomenal store of energy which he devoted almost entirely to the cotton industry, and in recognition of his achievements in cotton research and development he was awarded an honorary doctor's degree by Texas Technological College in the spring of 1964; and

Whereas, He was born in Dayton, Ohio, and was graduated from the University of Dayton, and then joined the U. S. Department of Agriculture, thus beginning a 34-year career leading to major innovations in the cotton industry throughout the world; and

Whereas, He developed techniques from river research through ginning and spinning, and was instrumental in setting up a pilot plant at Texas Tech, which is one of two such laboratories in the world now carrying on large-scale research in cotton spinning and certain phases of mill management; and

Whereas, His development of an air-flow instrument for cotton fineness was exceptionally noteworthy, and the lint-cleaning machines which he perfected for textile mills, as well as ideas for gin lint cleaners, were contributions which have meant much to the industry; and

Whereas, He traveled extensively in the United States and Europe in 1954, lecturing and serving as mill consultant for raw cotton purchases and utilization, while acting as research director of the Otto Goedecke Company, cotton merchants of Hallettsville; and

Whereas, Two textbooks for the International Correspondence Schools relating to the cotton industry have been published with him as the author, and many of his articles relating to cotton research and the entire cotton industry have been published by Textile Research Journal, Cotton Gin & Oil Mill Press, Cotton Trade Journal, and Cotton Digest; and

Whereas, His professional affiliations included membership in the American Society of Testing Materials, the Fiber Society, Advisory Board of Texas Cotton Research Committee, High Plains Research Foundation Board, American Society of Association Executives, International Standards Organization, and past membership on the Secretary of Agriculture's Cotton Advisory Committee; and

Whereas, His talents were diverse, among them unusual ability as a cartoonist, which he employed in freelance contributions to the sports department of the Dayton Morning Journal, where he became a fast friend of Milton Caniff, creator of the "Steve Canyon" strip; and

Whereas, He was devoted to his wife and children—a daughter, Ann Pfeiffenberger of Lubbock; and a son, Will Jr., who is teaching in a physics department of the U. S. Naval Graduate School at Monterey, California; and

Whereas, Despite his many business, professional and civic activities, he found time for the work of his church; he was a member of Christ the King Catholic Church, and participated in the Knights Columbus Organization; and

Whereas, The Senate of the 59th Legislature wishes to pay tribute to this outstanding Texas citizen who contributed so much by his dedication to cotton research and development; now, therefore, be it

Resolved, That the Senate of the State of Texas by this Resolution recognizes the great loss to this state by the death of George W. Pfeiffenberger, and extends its sincere sympathy to the members of his family; and be it further

Resolved, That copies of this Resolution be prepared for his wife and two children, and that when the Senate adjourns this day, that it do so in memory of George W. Pfeiffenberger.

BLANCHARD

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Kazen, Kennard, Krueger, Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Hightower and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted by a rising vote of the Senate.